

** NOT FOR PRINTED PUBLICATION **

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

VALENTIN AYALA-GUTIERREZ §
VS. § CIVIL ACTION NO. 9:14cv174
DIANA E. JACKSON §

ORDER ACCEPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Valentin Ayala-Gutierrez, an inmate at the Polunsky Unit, proceeding *pro se*, brought the above-styled lawsuit pursuant to 42 U.S.C. § 1983.

The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends granting the defendant's motion to dismiss. Additionally, the Magistrate Judge recommends declining to exercise supplemental jurisdiction.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

O R D E R

The findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ACCEPTED**. It is

ORDERED that the defendant's motion to dismiss is **GRANTED**. To the extent the plaintiff's complaint may be interpreted as asserting state law claims, supplemental jurisdiction is

** NOT FOR PRINTED PUBLICATION **

DECLINED pursuant to 28 U.S.C. § 1367(c). A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendations.

So ORDERED and SIGNED, Mar 26, 2021.



Ron Clark
Senior Judge